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TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 27 March 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 27 March 1995 from the Minister for Foreign Affairs of the Republic of Croatia, Dr. Mate Granić, addressed to you.

I would kindly request your assistance in distributing this letter and its annex as a document of the fiftieth session of the General Assembly under item 92 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/50/50.

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ANNEX

Letter dated 27 March 1995 from the Minister for Foreign Affairs of Croatia addressed to the Secretary-General

I have to draw your attention to the latest in a series of grave incidents in the occupied territories of Croatia in Eastern Slavonia. According to the information available, the military forces of the "Army of Yugoslavia (AJ)" have made an incursion deep into the territory of Croatia by crossing the Danube bridge in Batina, close to the Croatian-Hungarian border, from the "Federal Republic of Yugoslavia (Serbia and Montenegro)". The troops of the Belgian Battalion (BELGBAT) of the United Nations Protection Force (UNPROFOR) in the area attempted to "persuade and negotiate" with the Serbian paramilitary forces in order to prevent this movement, but failed and were forced to withdraw and were kept in detention during the transport of military equipment.

Since the end of January 1995 one armoured company of the "AJ" has been deployed in Eastern Slavonia close to the confrontation line. Moreover, on a later date further deployments took place, including - but not limited to - one mechanized company, one platoon of tanks and one platoon of self-propelled artillery, backed with an infantry company (totalling over 900 troops). The most recent incident saw the transportation of 25 tanks, 1 artillery battery and 1 Luna-M ground-to-ground tactical missile battery, and their deployment east of Beli Manastir and north of Tovarnik. Furthermore, according to available information, part of the 11th and 12th corps of the "AJ" have been mobilized and placed on alert within the territory of the "Federal Republic of Yugoslavia (Serbia and Montenegro)", including the 453rd Mechanized Brigade in Sid. These developments pose a serious threat to the security of the Republic of Croatia and serve as an additional example of the inefficiency of the present United Nations peace-keeping operation and a proof of direct involvement of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in Croatia.

All of this once again confirms that the mechanisms of control of the international borders of Croatia - those presently outside of the effective control of the Croatian Government - are not sufficient. Furthermore, the above-mentioned grave violations of the relevant Security Council resolutions serve to focus our attention on your report to the Security Council on the implementation of a peac -keeping mandate (S/1995/222), which proposes the continuation of the existing insufficient mechanisms.

On behalf of the Government of the Republic of Croatia, I thus have to express deep dissatisfaction and grave concern with the assessments and recommendations contained in your report (S/1995/222), and in particular with the following:

(1) The report is unbalanced: it overestimates the achievements and underestimates the shortcomings of UNPROFOR's activity in Croatia, and does not realistically reflect the situation of Croatia;

(2) The report repeatedly refers to documents that are several years old, but fails to draw the attention and to take into proper consideration more

recent developments, such as Security Council resolutions 820 (1993) and 871 (1993), and General Assembly resolution 49/43;

(3) The report draws attention to various elements of the so-called Vance plan, but apparently deliberately fails to address the most important element - the immediate disarming and disbandment of the Serbian paramilitary forces on the occupied territories; further, the report minimizes the validity of the need for the return of refugees and displaced persons, which is of paramount importance not only to a quarter of a million displaced persons but to the entire Croatian society as well;

(4) It would appear that in the eyes of the Secretariat the newly proposed mandate would not differ substantially from the expiring one;

(5) The Government of the Republic of Croatia and the local insurgent authorities on the occupied territories have implicite been placed on equal footing, since for every step of the deployment of a new mandate and force, their consent is implied;

(6) The name of the new operation, as proposed in your latest report, does not include reference to Croatia, which was one of our clearly stated requests; this is contrary to the established practice in the United Nations, since only three United Nations operations (the United Nations Truce Supervision Organization (UNTSO), the United Nations Disengagement Observer Force (UNDOF) and UNPROFOR) have hitherto been established without a clear geographic determination; the Government of the Republic of Croatia thus deems this to be highly inappropriate and unacceptable;

(7) The report does not provide for, or even suggest, the reliable control of Croatia's internationally recognized borders and therefore does not fulfil the preconditions for Croatia's acceptance of the new mandate as agreed upon in Copenhagen and Washington; furthermore, the provisions in this regard, as set forth in your report, do not reflect adequately the spirit and content of your recent talks with the President of the Republic of Croatia, Dr. Franjo Tudjman, and the subsequent statements as well.

Taking into account the above, on behalf of the Republic of Croatia, I have the duty to inform you and the members of the Security Council that the Republic of Croatia shall not accept the new mandate of the new peace-keeping force on its territory after the present mandate of UNPROFOR in Croatia terminates in accordance with our letters of 12 January 1995 (A/50/64-S/1995/28) and 18 January 1995 (S/1995/56) unless the following conditions are met:

(1) The name of the new operation contains the word Croatia, explicitly confirming the fact that the new operation is to be carried out in its entirety on the sovereign territory of the Republic of Croatia;

(2) The mechanisms of the active control of the international borders of the Republic of Croatia in the parts that are not at this moment accessible to the Croatian authorities by the new force are negotiated in detail on the basis of relevant Security Council resolutions and have gained the prior formal approval of the Government of Croatia; thus the mechanisms for active control of

Croatia's international borders under the new mandate must be clearly established in respect of imports, exports and all transshipments, consistent with paragraph 12 of resolution 820 (1993).

In this regard, and in order to facilitate the negotiations, I have the honour to draw your attention to the letter dated 22 March 1995 from the President of the Republic of Croatia addressed to you (A/50/119-S/1995/23).

(Signed) Mate GRANIĆ